LETTERS

TO THE

Right Reverend

THE

L^d. Bishop of *Carliſle*.

Occaſioned by ſome Paſſages in his late Book of the *Scotch* Library.

Wherein *ROBERT* the Third is beyond all Diſpute freed from the Imputation of Baſtardy. A particular Account is given of King *DAVID*'s Ranſom, and of the Hoſtages for the Payment of the ſame. With ſeveral Original Papers relating to the *Scotch* Affairs: And a Grant of the Liberties of *Scotland*.

LETTER I.

LONDON,
Printed for *James Knapton*, at the *Crown* in St. *Paul*'s *Church-Yard*. 1702.

S ohannes ep̃s seruus seruorum dei. Carl

S

nem omipotentis dei. et beatorum petri

S S S S S

go leo. tt ce cuncis in ihesum presbr Card.

Ego Steph̃s basilice duodecim apl̃oꝝ pbr card..

Ego bregˢ it scē anastasie pbr card.;

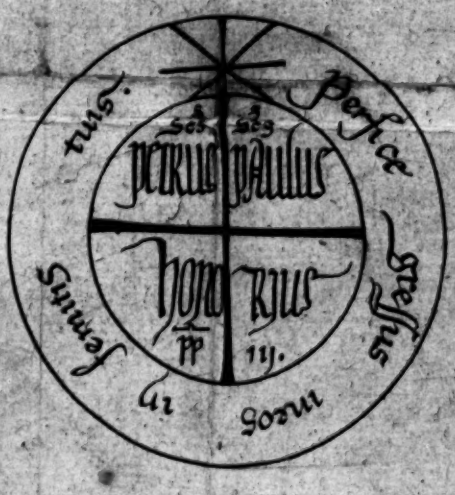
Ego Thorms tt ce abin pbr Card

S S

Dat Laterany per manum. Ranery scē Roma

ARISSIMO IN XPO FILIO ALEXANDRO ILLUSTRI SCOTTORUM R

ri et Pauli aplorum eius se nouerit incursurum.



Ego Honorius catholice eccle eps.

Ego Guido Prenestinus eps

Ego Petrus Sabinen Eps.

MVSEVM
BRITANNICVM

omani eccle Vicecancellarij. xj. kl Decemb. Indictione. vij. Incarnat

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…NDRO … Scottorum Rege … …

… se nouerit incursurum. AMEN …

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… Petrus … abinen Eps. …

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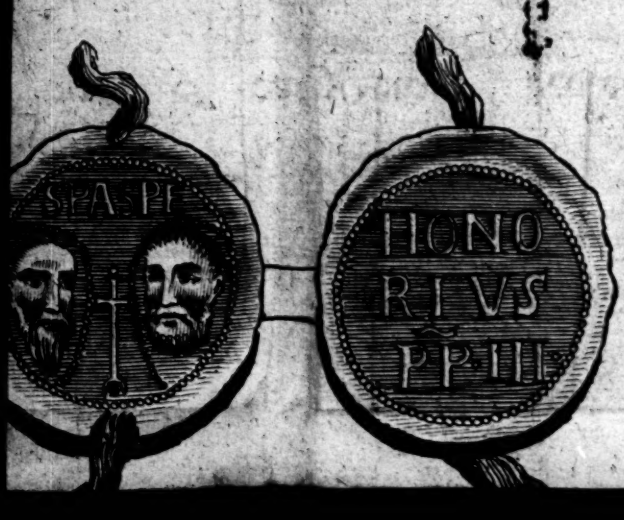

ecclesiorum In P.P.

Ego Guido sci Nycolai in carcere tull. diac cardinal

Octauian. Scor. Sergij z bachi diacon card

Ego Gregorij sci Theodor diac card.

Ego Stephanus sci Adriani Diaconus Cardin

Ego Alebrandinus Sci Eustachij Diaconus cardin

Ego Egidius Scor. Cosme z damiani diac Card

cij. CCxviij: Pontificat uo dopni Honorij pp. tertij anno tertio

LETTERS

TO THE

Right Reverend

THE

Lord Bishop of *Carlisle*, &c.

LETTER I.

My LORD;

THE last time your Lordship was in Town, and also the time before, I attempted to wait on you with some Papers relating the *Scotch* Affairs: And now that I communicate them in this publick manner, I hope they may not be unwelcome. In the Book you were late-

ly pleas'd to oblige the World withal, you give an Account of my Lord Viſcount of *Tarbat*, his Vindication of *Robert* III. King of *Scotland*, from the Imputation of Baſtardy: This being, as my Lord of *Tarbat* expreſſes it (*p.* 2.) *to vindicate our Royal Line, and all the Hereditary Crown'd Heads in* Europe, *in their Deſcent from him*, is a Point of ſo high Importance, that, altho' my Lords Performance and Proofs be inconteſtable, yet if the Publick Tranſactions betwixt *England* and *Scotland*, if the Tower of *London*, and our Archives at *Weſtminſter* concur with the *Records* cited by my Lord of *Tarbat* and the *Rowallan-Charter-cheſt*, then we beat down all Oppoſition, nor can the World longer be abuſed with that moſt notorious Falſhood and Scandal, which has ſo long obtain'd, upon the Credit of *Maior*, *Boethius*, *Leſley*, *Buchanan*, and after them our *Raphael Hollinſhead*, and the reſt.

From the time that *David Bruce* was taken Priſoner in the Battle at *Durham*, on the 17th. of *October* 1346. to his Death in the Year 1370. the two Nations were continually in Treaty: Firſt, in order to the releaſement of King

King *David*; and afterwards about adjusting the several Payments for his Ransom. In which Course of time *John*, on whom the whole Controversie turns, was in a manner always in view: One while in *England*, as an Hostage; otherwhiles in Obligations, Commissions, or other publick Transactions betwixt the two Kingdoms, and always pass'd in both Nations in all publick Acts of State, for the first-begotten Son and Heir of *Robert* the Steward of *Scotland*: And accordingly had his Rank before the other Princes of the Blood.

The Books tell us, that in the third Year of *Robert* II. his Reign, his Queen *Enphemia* dies, and *Giffard*, who had married *Eliz. Mure* (King *Robert*'s Concubine) also dies; whereupon he now takes *Elizabeth Mure* to Wife, in order to Legitimate *John*, *Robert*, *Alexander*, and the other Issue he had formerly begotten on her Body. And now it is that he heaps upon them Riches and Honours; his eldest Son *John* he makes Earl of *Carric*, &c.

By what appears from our Archives and Records in *England*, no body but must conclude all this Story to be a

meer Dream, without any manner of Cauſe or Foundation.

Firſt, As to the Honour, *John* the Son was an Earl before his Father came to be a King.

In *June* 1369. a Truce of fourteen Years was concluded at *London*, (*See Appendix A.*) where amongſt the Commiſſioners that treat for the King of *Scotland*, after the Biſhops, are named *Robert Seneſchal D'eſcoce, de Stratherne, Thomas de Marr, George de la Marche, Will. de Douglas, Johan Seneſchal de Carric touz contez*, &c. So here you ſee the Father *Robert* is Earl of *Stratherne*, and the Son *John* is Earl of *Carric*.

This Inſtument is both Sign'd and Seal'd by eighteen Commiſſioners; two of which are the Earl of *Stratherne* and the Earl of *Carric*. And it is afterwards ratified by King *David* at *Edenburgh* the 20th. of *July* following, in the fortieth Year of his Reign. And in the Tower, amongſt others that have a Safe Conduct, is recorded *Johannes Stuward comes de Carryk*. Rot. Scot. 43. E. 3. M. 4.

Now

Now I cannot avoid taking Notice that all our Authors are ignorant how long King *David* reigned; All of them ſay he died at *Edinburgh* in the 39th. of his Reign. *Buchanan* (to be more accurate) ſays *prope triceſimo Nono*, which in *Engliſh* is in the 38th. of his reign; and alſo ventures to tell us the day of the Month, viz. the 7th of *May*. Pardon this digreſſion, in our Archives is an Inſtrument under his Seal, given at *London* 4. *June*. 1370. and the year of his reign (the word at length) *Quarantiſme*. There are two or three more recorded at the *Tower* (*Rot. Scot.* 44. *E.* 3.) of the *fortyeth year* of King *David*. What then would our old acquaintance, Sir *George Mackenzy* have ſaid of theſe his Countrymen? is not this a cutting ſhort of the Royal Line? is not this a kind of *Leſe Majeſty*? And what is there for them to forfeit, but their Credit?

The time this *John* was firſt advanc'd to the dignity of an *Earl* I cannot determine; but we never find him otherwiſe than *the firſt-begotten Son and Heir of Robert the Steward of Scotland*. Look back to the year 1358. And there is a Safe Conduct *pro Johanne primogenito Seneſcalli*

calli Scotiæ veniendo in Angliam, Rot. Scot. 32. E. 3. M. 6.

On the third of *October* 1357. All the Articles of the Great Treaty, for the deliverance of *David Bruce*, were concerted at the Town of *Berwick upon Tweed*; his Ranſome was to be one hundred thouſand Marks *Sterling*, to be paid in ten years time: for the Security of the ſeveral Payments were to be given twenty Hoſtages, viz. *John Steward* Son and Heir of Monſr. *Robert* Steward of *Scotland*, *William* ſon and Heir of the Earl of *Roſs*, *John* Son and Heir of the Earl of *Southerland*, *Thomas Fleming* Heir to the Earl of *Wigton*, *Reynold* Son and Heir of Sir *William More*, *Patrick* Son and Heir of Sir *David de Graham*, *Robert* Son of Sir *William de Cuningham*, *William* Son of Sir *Thomas Byſet*, *Robert* Son and Heir of Sir *John Stiward de Derneley*, *Patrick* Son of Sir *William de Levingſton*, *Thomas* Son of Sir *Robert de Irſkin*, *William* Son and Heir of Sir *Thomas*, *de Somervyle*, *Robert* Son and Heir to Sir *John de Danielſton*, *David* Son and heir to Sir *David de Wemys*, *John* Son and Heir to Sir *Andrew de Valens*, *Umfrey* Son and Heir to *Roger*

de

de Kirkpatrick, *John* Son and Heir to *John Kenedy*, *Thomas* Son and Heir of *William de Hays de Lothorward*, *John* Son of *John de Berkley*, *John* Son and Heir of *John de Gray*.

Another Article for the diſcharge of Hoſtages upon the ſeveral Payments runs thus: It is accorded on the behalf of *John* eldeſt Son and Heir Apparent of the Steward of *Scotland*, one of the Hoſtages aforeſaid, That he ſhall abide in the Company of the Lord *Percey* or *Nevil* until that the firſt Payment of ten thouſand Marks be fully made; At which time his next younger Brother ſhall come in his ſtead to ſtay in Hoſtage in the like manner: and then ſhall the ſaid *John* be delivered; And the ſaid Steward ſhall have Letters under the Great Seal of the King of *England*, and of the Prince his Son, that the ſaid *John* ſhould not be detained, after the time that the ten thouſand Marks, of the firſt Payment, ſhould be paid, *&c.* This Indenture is under the Seals of *Commiſſioners* deputed by *Robert Steward* Guardian of *Scotland*.

A ſecond Inſtrument, reciting the aforeſaid Indenture dated the 5th of *October*, the ſame year, at *Berwick upon Tweed*

Tweed, under the the Great Seal of *Scotland*, is to confirm the said Indenture by the King *David Bruce*.

A third dated also 5. *October* recites the Indenture under the Seals of the Lords Temporal of *Scotland*.

A fourth in like manner, of the same date is Obligatory of the Merchants of the Kingdom of *Scotland*.

A fifth is to oblige the Prelates, and is under their Seal dated the 6th. of *October*.

On the sixth of *November* following, King *David Bruce*, having his full liberty, at *Scone* in Council, reciting all the aforesaid Indenture, does again confirm and ratifie it under the Great Seal.

In all these Acts, than which none more publick or more solemn can ever happen, *John Steward* is own'd by the King, and by all the *States*, of *Scotland*, in the Face of the two Kingdoms, and designated *the first-begotten* and *Heir apparent* of *Robert* the Steward of *Scotland*, and is always placed in the Front, and is given the Precedence before all the other Princes of the Blood Royal.

In

In those Days the Word Bastard was not such a Bugbear, but passed current in all Nations amongst Persons of the first Quality. Of that time in the Tower is a Record, *De duello inter Bastardum Franciæ & Johannem Viscont.* Rot. Pat. 44. E. 3. P. 3. M. 14. And, which is more, there is a Patent from *E.* 3. for an Annuity to *Elizabeth* of *Holland*, Bastard Sister of our dear Consort Queen *Philip. Pat.* 41. *E.* 3. *P.* 2. *M.* 24. If then this *John*, so often mention'd, had been a Bastard, whence should *Robert Steward* be more squeamish than the rest of Man and Womankind of the Age? Or if that he had a mind to cheat the World, how could he do it, having so many other lawful Issue then living; And his Wife *Euphemia*'s Relations all present, and concurring in the Acts and Deeds aforesaid?

Amongst the Prisoners of Note taken with King *David* at the Battel of *Durham*, I find *Alexander Stuward*, *John Stuward* of *Dalswynton*, and *John Stuward* Bastard. Perhaps some Writer, an hundred Years after, about to patch up a Story, meeting with that Act of Recognition, upon *Robert*'s coming

to

to the Crown, whereby it is declared, *That his eldeſt Son* John *Earl of* Carric *and Steward of* Scotland *was, and ought to be his true and lawful Heir and Succeſſor*, &c. took *John Stuward* the Baſtard, and this *John*, Son of *Robert*, to be the ſame Perſon: And ſo made way for *John Major*, *Boetius*, and their Followers, to dreſs it up with the other Circumſtances into a compleat, inconſiſtent, abſurd Jumble of a Tale of a Tub, as we find it.

King *David Bruce* in *June* 1370. was at *London*: He died at *Edenburgh*, how long after does not appear; but in *March* following, is the Coronation of King *Robert*, and the *Act* of *Recognition* above-mention'd. Now, according to our Authors, in the Space of time, from the Death of *David* to the Coronation of *Robert*, *Giffard* the Husband of *Elizabeth Mure* muſt die, to leave a vacancy for a new Husband; and Queen *Euphemia* muſt die, to make way that the King may at laſt, in good time, be wedded to his old Original Miſtreſs, *Elizabeth Mure*. This Contrivance might perhaps paſs in a Tragedy, or Comedy, or ſuch-like Dramatick Invention, for a convenient Fable;

ble; but that it ſhould be currant in the World ſo long amongſt our Books of Hiſtory, without Examination, ſeems a Reproach to both Nations.

Peradventure when the Murder of King *James* the Firſt by the Sons of *Euphemia* was reſolv'd upon, in order to give ſome Colour to ſo horrid a Fact, this Story of *Elizabeth Mure* was contrived. They gave out, that the Deſcendents from *Elizabeth Mure*, were not lawfully begotten; yet theſe were preferred in the Succeſſion to the Crown, and the Iſſue of *Euphemia Roſs*, who were the King's lawful Iſſue, were ſet aſide and excluded: This Injury and Provocation thoſe deſcended from *Euphemia Roſs* could not always put up and ſtifle; but took the firſt opportunity, and reſented it upon the Perſon of King *James* the Firſt.

That horrid Murder, and the terrible extraordinary Severity in the Puniſhment and Execution of the Conſpirators was famous all over *Europe*: And doubtleſs ſome Libel or Manifeſto was handed about in their Juſtification, to the effect as is above expreſſed.

Thus

Thus it was, not ſo long ago, here in *England*. King *Richard* the Third, when his Brother's Children ſtood betwixt him and the Crown, he preſently had it nois'd about every where, that they were *Baſtards*. On this occaſion he had his Emiſſaries of all kinds ready at his Beck. Two the moſt eminent Preachers, Dr. *Pinker* at St. *Mary*'s Spittle, to tell it from the Pulpit to the People; and Dr. *Shaa*, at *Paul*'s Croſs, with his notable Text, *Vitulamina Spuria non agent altas radices*; Baſtard-Slips ſhall not take deep root. All the Entertainment of Town and Country was the Adultery of the Mother, and Baſtardy of her Sons. 'The 'Lady *Elizabeth Lucy*, ſay they, 'was 'well known to be the only true and 'lawful Wife of King *Edward*; and 'whatever Children he had that were 'not begotten on the Body of *Eliza*-'*beth Lucy* muſt be ſpurious, unlawful, 'and uncapable of any Succeſſion. Nor did King *Richard* reſt here; even his own Mother's Sons, the late King *Edward*, and the Duke of *Clarence* were never reckon'd (ſay they) by ſuch as knew the Secrets of the Family, for the Children of the Duke of *York*,

but

but were begotten by other Perſons in Adultery of the Dutcheſs their Mother.

I need not ſhew how much eaſier it was to impoſe upon the World with a Tale of this kind, in the Caſe of the Conſpirators, forty ſix Years after King *Robert*'s Death, than in the Circumſtances of King *Richard* III.

Amongſt other Conjectures about the Miſtake of our Hiſtorians, that, methinks, is not to be neglected which my Lord of *Tarbat* draws from a Charter of King *Robert* II. by him produced dated at *Perth* 15. *Jan.* the 12. Year of his Reign, which imports that he had Children by a Concubine, whoſe Name was *Moram*, and that our Authors had ignorantly confounded this Concubine *Moram* with his firſt Wife *Elizabeth More*. The Charter runs thus: *Robertus Dei Gratiâ, Rex Scotorum. Sciatis nos dediſſe & hac præſenti Cartâ noſtrâ Confirmaſſe Johanni Seneſchallo, genito inter nos & dilectam noſtram Moram, omnes & ſingulas terras*, &c.

But whatſoever was the occaſion of the Miſtake, a groſs Miſtake certainly it was. And this *John* begotten of *Moram*, was not the *John eldeſt Son and Heir*, which our Treaties and Records ſo often mention.

It has been ſhowed that in the year 1357. Which is fourteen years before *Robert* the ſecond was King, his Son *John* was always reckoned his eldeſt Son and Heir, In the Great Treaty for the deliverance and Ranſom of *David Bruce*. Purſuant to that Treaty, we find the twenty Hoſtages diſpoſed on to their ſeveral Keepers, the firſt in the Liſt is *John* Son and Heir to the Steward of *Scotland*, delivered to the Lord *Percy*. (Ap. C)

On the 24th. Of *June* 1358. According to the Treaty, was the firſt Payment made of the ten thouſand Marks, then is a Commiſſion giving Power to receive into Cuſtody the ſecond Son of *Robert Steward*, in the room of *John* his firſt begotten Son and Heir D. Ap. And the ſame year is a ſafe Conduct for *John* the firſt begotten Son of the Steward of *Scotland*. *Rot. Scot.* 32. *E.* 3. *M.* 6.

The

The like may be obſerved upon the ſecond Payment, where he is call'd *Johannes Primo-genitus & hæres*, together with the *Secundo-genitus*, and *Tertio-genitus*. But *John* every where is diſtinguiſh'd by the Addition of *the Firſt-begotten Son and Heir*. This is in *June* 1360. (*Append. E.*)

Before this Treaty, were ſeveral former Treaties which did not take effect; as one at *Berwick upon Tweed*, *November* 12. 1354. And another at *Newcaſtle upon Tyne* the 13th. of *July* the ſame Year. In both which the Son and Heir of the Steward of *Scotland* is to be in Hoſtage for the Security of the ſecond Payment; though not nam'd amongſt the twenty Hoſtages. And upon his Diſcharge, *Walter* Son of the ſaid Steward, if alive; if not, ſome other of his Sons, together with the Son and Heir of the late *David del Hay* Conſtable of *Scotland*, or ſome other equally ſufficient. Theſe two Treaties were recited and confirmed by King *E.* III. the 5th. of *December* the ſame Year. If this *Walter* was the Son of *Eupheme Roſs*, it may ſeem, that the firſt Son of the Second Wife was look'd upon to be better Secu-

tity, than the ſecond Son of *Elizabeth Mure*, firſt Wife of *Robert Steward*. But in the Treaties afterward there is no mention of *Walter*.

In the Year 1351. twenty Years before *Robert Steward* was King, an Agreement was concluded for *David Bruce* to go into *Scotland*, to try how his Preſence might work amongſt them, and what the States there would contribute in order to his Releaſe; then were Hoſtages given in ſecurity for his return at the time appointed.

There we find enter'd upon the Roll theſe Hoſtages, *viz.* *John* Son and Heir of the Steward of *Scotland*, *John de Dunbarre* Son and Heir of the Earl of *March*, *John* Son and Heir of the Earl of *Southerland*, *Thomas* Nephew and Heir of the Earl of *Wygeton*, *James de Lyndeſay*, Son and Heir of *David de Lyndeſay*, Knight, *Hugh de Roſs* Brother and Heir of the Earl of *Roſs*, and *Thomas de Murref* Brother and Heir of *John de Murref*. Rot. Scot. 25. E. 3. M. 3.

This

This is twenty Years before *Robert Steward* came to be King, and more than twenty before our Hiſtorians allow that *John* was own'd to be *Robert*'s Son, or brought from behind the Curtain.

He marches here in the Van, before the Princes of the Blood, who were next in Succeſſion to the Crown, if *Robert Steward* ſhou'd die without Heirs of his Body lawfully begotten. Beſides, King *David* had rather his younger Siſter's Son, the Earl of *Southerland*, might ſucceed after him to the Crown, than *Robert Steward* Son of the elder Siſter. In the ſame Company alſo is the Earl of *Roſs*'s Son, Brother to *Eupheme*. And nothing can be more abſurd than to imagine, that this *John* was otherwiſe than the true lawfully begotten Son of *Robert* by a former Wife. So that *Elizabeth More*, or *Mure*, muſt be reckon'd the firſt, and *Eupheme Roſs* the ſecond Wife. And it is likely Sir *William More*, ſo often nam'd with him in the abovemention'd Treaties, was Brother, or near a-kin to *Elizabeth More*; though he is there ſometimes ſaid to be of *Abercorne*, whereas my Lord of *Tarbat* rather

takes her to be of the *Mores* of *Rowallan*.

My Lord, I intended for you ſome other Papers, which your late Book led me to; but I have already run into a greater length than I expected, and would not Treſpaſs farther upon your time: Only give me leave to warn you of a Miſinformation your Lordſhip has ſomewhere met withal, touching my publiſhing a Charter of Homage by King *Malcolm*. *My Lord*, the Fact is, I never did publiſh it, nor ever ſaw it in print, ſave in a Book by Mr. *Radpath*. True it is, I found ſuch a thing in the Archives, and had it Engraven; but had no deſign to publiſh it, unleſs it ſhould be in Company with that famous League betwixt *Charlemagne* and King *Achaius*; the Seals to them both being exactly the very ſame. *And all the Heralds in* Europe *acknowledge that the double Treſſure was the Badge of that Alliance*, as our late learned Friend, Sir *George Mackenzy*, tells us, in his Defence of the Antiquity of the Royal Line of *Scotland* againſt the Biſhop of St. *Aſaph*, p. 111.

P. S.

P. S.

My Lord, if any be offended that I had the *Homage* Engraven, to make amends I herewith publiſh a Charter of the Privileges of *Scotland*: Not that I reckon any thing uncommon in the Body of the Bull; but the Flouriſhing and the Furbola's, as we now ſpeak, are ſo very Magnificent and Extraordinary, as might give it place, before the choiceſt Medallion, in ſome Prince's Cabinet.

3. June 43. E. 3. 1369.

"Les trieux de xiiii. anz parentre les Rois D'engleterre, & "Descoce prisez a Loundres en "le Moys de Juyn l'an du grace "M.CCC.LXIX. de South les "sealx dez divers Sires Descoce."

Append. A.

SACHENT touz presentz & avenir que par entre les Reverentz Pieres en Dieu, Williame de Saint Andreu, Wautier de Glascou, Johan de Dunkelden, Patrik de Brechin' Chaunceler d'Escoce, & Wautier de Dunblan' Evesques; Nobles, & Poissantz Seigneurs, Robt' Seneschall Descoce de Stratherne, Thomas de Marr, George de la Marche, Willame de Douglas, Johan Seneschall de Carr' touz Contes; William de Keth Mareschall d'Escoce, Archi-

‘ Archibaud de Douglas, Robt' d' Ers-
‘ kyne, James de Douglas, Wautier de
‘ Lesseley, Wautier de Halyburton',
‘ Alisaundre de Lyndesay touz Barons
‘ & Chivalers ; Meistre Johan de
‘ Carr' Gardein de prive Seal de haut
‘ Prince le Roi d' Escoce, deputez pur
‘ la partie dudit Seigneur le Roi d' Es-
‘ coce ; & les altres Prelatz, Nobles &
‘ Seigneurs Deputez de la partie du
‘ Roi d' Engleterre, & pour chascun
‘ des avant ditz Princes & Seigneurs
‘ Rois & touz leur Roialmes, terres
‘ pais & lieux, & Subgiez d'une coste
‘ & d'autre quiel part qu'ils soieut par
‘ terre & par mier, en esperance de
‘ bone paix pristrent & accordrent bo-
‘ nes loials & fermes Trieus absti-
‘ nences & seoffrannces de guerre de
‘ jour present tanque a la Purification
‘ notre Dame proschien avenir, & d'il-
‘ loques tanque a quatorze anns pros-
‘ cheinement ensuantz & pleinement
‘ accompliz. Pendant les quelles
‘ Trieues nulle grief, damage, veleine,
‘ attemptat ne entrepriſe se pourra, ne
‘ deura faire d'une costee ne d'autre
‘ par prise des Villes Chastealx ou for-
‘ teresces ; arsures des edifices & d'au-

‘ tres

‘ tres choſes : priſe & detenue des per-
‘ ſones : Roberies dei beſtes & de biens,
‘ ne par quelconque autre fait de
‘ guerre ; Mais communeront, converſe-
‘ ront & Marchanderont les gentz d'
‘ une Coſtee & d'autre fraunchement
‘ & paisiblement, ſanz monſtrer ancuns
‘ lettres de ſauf conduit, & ſanz au-
‘ cun areſt deſtourber ou empeſche-
‘ ment, tout auxi amiablement com-
‘ me ils pourroient & deuroient faire
‘ en temps de bone paix par paiant les
‘ devoirs & cuſtumes a l'un Roi & a
‘ l'autre

‘ Et ſi aucun choſe eſtoit faite at-
‘ tempte ou meſpriſe par les Rois ou
‘ Subgiez de l'une partie ou l'autre au
‘ contraire, ce ſerra duement, a plus
‘ toſt que faire ſe pourra, ſanz fraude
‘ & ſanz mal engin, repareez redreſ-
‘ ceez & amendeez a la partie que au-
‘ ra ſoufferet le damage ; toutdys de-
‘ mourrantz les dites Trieues en leur
‘ affett force & vertu,

‘ Et auſſi, durantz les dites Trieues,
‘ les Rois d'Engleterre, ne d'Eſcoce, ne
‘ aucun des Subgies de l'un Roialme
‘ ne d'autre, ne de leur autres Seigneurs,
‘ ne duront estre mal voillantz, adver-

‘ ſariis

‘ ſarijs ne contrerers, ne ferront guerre,
‘ damage ne vilenie ; neue dourront
‘ aide, confort ne conſail dedans les
‘ Roialmes d'Engleterre, ne d'Eſcoce,
‘ ne de hors en nul lieu, encontre les
‘ Rois & Subgiez de l'un Roialme ne
‘ de l'autre, ne de leur autres Seigneu-
‘ ries par aucune manere.

‘ Et ſi aucun des dites Subgiez face
‘ le contraire, premerement par lettres
‘ & mandementz il ſerra requis de
‘ ceſſer, & s'il ne le voudra faire il
‘ ſerra puny come Traitre & Rebell, &
‘ touz ſes biens ſerront forfaites & con-
‘ fiſquez a cellui des Rois de qi il eſt
‘ Subgit. Et le dite, terme durant ne
‘ ſerra aucun Subgit, Rebell ou deſo-
‘ beiſſant a l'un Roi on a l'autre, re-
‘ cepte en l'un Roialme ne en l'autre, ne
‘ en aucun de leurs Seigneuries pour faire
‘ grief ou damage as ditz Rois, ne au-
‘ cun de leur Subgiez.

‘ Et paiera le dit Roi d'Eſcoce, pour
‘ la reſte de ſa ranſon, Cinquant ſys
‘ Mill Marcz en or, ou argent a la value
‘ au Roi d'Engleterre, ou a ſez heirs, ou
‘ deputez a la Ville de Berewik ſur
‘ Twede, a Norham, ou a Bambourgh
‘ par le ſpace des ſuſditez Trieues.

‘ C'eſt

‘ C'eſt aſſavoir chaſcum An quatre
‘ Mill Marcz tanque au plein paiement
‘ de la Somme avantdite ; d'ont la pre-
‘ mier paiement ſe ferra en manera
‘ que dit eſt a la Chaundellure pro-
‘ chein venant, ou dedans quinze
‘ jours procheins aprés : & enſy de An
‘ en An tanque toute la Somme avant
‘ dite de Cynquant & ſys Mill Marcz
‘ ſoit parpaiez comme devant eſt dit.

‘ Et la dite grante Somme, de Cyn-
‘ quant & ſys Mill Marcz, pleinement
‘ paie, comme dit eſt, demourront de
‘ lors le Roi, & touz les autres Seign-
‘ euries d'Eſcoce, obligez pour la paie-
‘ ment de ladite reſte, leur heirs &
‘ ſucceſſeurs, quitz & deſchargez en-
‘ uers le dit Roi d'Engleterre, ſes heirs,
‘ Succeſſeurs & Aſſignes par cauſe de
‘ la dite Ranſon, & de toutes autres
‘ Sommes, pienes, reproves, ſerementz,
‘ obligacions, covenances, promiſſes,
‘ & defautes ſi aucuns y pourroient eſ-
‘ tre alleggez, & de toutez demandes
‘ que l'en pourra faire par vertu d'au-
‘ cune obligation, par lettres endentees,
‘ & Inſtrumentz publiques faitz au
‘ dit Roi d'Enlgleterre ou paſſez puis
‘ le temps de la priſe du dit Roi d'Eſco-

‘ ce

‘ ce a la bataille de Dureſme &, par
‘ eſpecial, par cauſe de la Darrainere
‘ lettre obligatoire du dit Roi d'Eſ-
‘ coce, fait ſur le paiement de Cent
‘ Mill. livers ; & meſme la darrainere,
‘ & toutz autres letteres obligatoires,
‘ lettres endentees, & Inſtrumentz pub-
‘ liques ſerront de fait renduz & reſta-
‘ bliz a la partie du dit Roi d'Eſcoce,
‘ ſur le dit darrainer paiement.

‘ Et ſi depuis aucunes tiels lettres, ou
‘ ſemblables ſoient trovez ou appari-
‘ ſent, elles ſerront touz jours tenues
‘ pour voides et nulles, & pardront
‘ leur force effect & fermetee en touz
‘ pointz, ne ne pouront, en aucun
‘ temps avenir, porter ou tenir profit
‘ au Roi d'Engleterre, ne a ſes heirs,
‘ ou cas dudit paiement final, ne da-
‘ mage au Roi ne le Roialm d'
‘ Eſcoce.

‘ Et auſi eſt accorde, par les ditz
‘ Conſeillers du Roi d'Engleterre que
‘ les Subgitz du Roi d'Eſcoce auront,
‘ durantz les ditz Trieues, la Moite
‘ des rentes, & profitz des terres &
‘ poſſeſſions occupez par les Subgitz
‘ gentz, eſteantz a la foi & obeiſaunce
‘ le Roy d'Engleterre, en Countee de

Rox-

‘ Roxbourgh par tiele manere que
‘ ceux d'Escoce, reclamantz droit d'eri-
‘ tage, es ditz terres & possessions, en
‘ puissent porter la Moite du profit ;
‘ Mais tout dys, durantz les ditez
‘ trieues, les ditz terres & possessions,
‘ & les occupantz d'ycelles demourrent
‘ au Roi d'Engleterre en l'stat foi obeis-
‘ sance & condition q'ls sont aujour
‘ present.

‘ Et serront les ditez terres, durant le
‘ terme des Trieues, assizes bien & loi-
‘ alment, par l'accord & consentement
‘ des gentz d'une partie & d'autre, au
‘ plus grant profit que faire se pourra,
‘ sanz aucun deception ou mal engin.
‘ Et serront auss meſmes les Trieues
‘ criez & publiez d'An en An par touz
‘ les Roialmes, en Irlande, & par touz
‘ les Seigneuries de Rois avantz ditz,
‘ decea la meer & de la.

‘ Et, par baillant & deliverant, a la
‘ partie du dit Seigneur Roi d'Engle-
‘ terre, a la Citee de Duresme, la
‘ premier jour d'augst prochein avenir,
‘ ces presentz lettres, Sealles des Sealx,
‘ des Prelatz & Seigneurs avant nomes,
‘ le dit Roi d'Engleterre deura sembla-
‘ blement lors bailler & deliverer dil-

‘ loqes

‘ loqes, -antilles & parailles lettres,
‘ Sealles des Sealx des honorables
‘ Pieres en Dieu William de Wynche-
‘ ſtre Chaunceller, Johan de Ely Tre-
‘ ſorer d'Engleterre, Symon de Lon-
‘ dres, Adam de Saint David, Willi-
‘ ame de Wirceſtre Evesques: Noblez
‘ & Puiſſantz Seigneurs Johan Duc de
‘ Lancaſtre, Richard d'Arondell, Tho-
‘ mas de Beuchamp' de Warrowyk',
‘ Robert de Suff', & William de Mon-
‘ tacu de Salisbirs' Countes: Henry Sire
‘ de Percy, Roger Sire de Clifford,
‘ William Sire de Latymer, Sire Piers
‘ de Lacy Gardein du Prive Seal ledit
‘ Roi d'Engleterre. Toutes les quelles
‘ choſes & chaſcune d'ycelles les ditz
‘ Prelatz & Seigneurs, de la partie du
‘ dit Roi d'Eſcoce, out Jurrez & pro-
‘ miz q'ls tendront gardront & accom-
‘ pliront, & ferront tenir garder & ac-
‘ complir, ſi avant commne il leur
‘ touche, ou pourra toucher de point
‘ en point, bien & loialment, ſanz
‘ fraude & ſanz mal engin, & ſanz jam-
‘ mahs dire, ne faire taiſiblement, ne
‘ expreſſement par eulx, ne par autre
‘ auſcune choſe a l'encontre. Faite &
‘ Donne, deſouz les Sealx de Prelatz &

‘ Seig-

‘ Seigneurs d'Escoce avant nomes, a la
‘ Citee de Londres, ou Moys de Juyn,
‘ en l'an de grace Mill. CCC. soixante
‘ & Noef’.

Johannis de Carryk Secr.
Alexandri de Lyndesey.
Walteri de Haliburton’.
Walteri de Lesley.
Jacobi de Douglas.
Roberti de Erskyne.
Archebaldi de Douglas.
Will. de Keth.
Comitis de Carryk.
Comitis de Douglas.
Comitis March.
Comitis de Marr.
Seneschalli Scotiæ.
Dumblanen’.
Brechen’.
Dunkelden’.
Glasguens’.
Sancti Andr’.

A Truce of Fourteen Years between the King of England *and* Scotland, *concluded at* London *in* May 1369. *under the Seal of divers* Scotiſh *Lords.*

BE it known to all, who are preſent now, and may be hereafter, that the Reverend Fathers in God, *William* of Saint *Andrew*, *Walter* of *Glaſcow*, *John* of *Dunkelden*, *Patrick* of *Brechin* Chancellor of *Scotland*, and *Walter* of *Dunblane* Biſhops: The Noble and Puiſſant Lords, *Robert* Stewward of *Scotland* and Earl of *Stratherne*, *Thomas* Earl of *Marr*, *George* Earl of *March*, *William* Earl of *Douglas*, *John Steward* Earl of *Carric*, *William* of *Keth* Mareſchal of *Scotland*, *Archibald* of *Douglas*, *Robert* of *Erskyne*, *James* of *Douglas*, *Walter* of *Leſley*, Ap. A.

Walter of *Halyburton*, *Aliſaunder* of *Lyndeſay*, all Barons and Knights; Mr. *John Carr* Keeper of the Privy Seal of the High Prince the King of *Scotland*, being deputed by the ſaid Lord the King of *Scotland*; and other Prelates, Nobles and Lords, deputed by the King of *England*, have for both of the foreſaid Princes and Lords, the Kings, and for all their Kingdoms, Lands, Countreys, Territories, and Subjects of each ſide whereſoever they be, by Land and by Sea, in expectation of a happy Peace, ſtipulated and concluded a juſt, lawful and *ſtable* Truce, Forbearance, and Ceſſation of War from this preſent Day, till the Purification of our Lady next coming, and from thence forward for fourteen Years next inſuing and fully accompliſhed.

During which Truce there ſhall no Moleſtation, Damage, Injury, Aſſault or Enterpriſe be offered on either ſide, whether by taking of Towns, Caſtles, or Fortreſſes: by burning of Houſes or other things: by taking and detaining of Perſons: by plundering of Cattle and Goods; or by any other ho-

hoſtile Act whatſoever; but they ſhall live, converſe, and traffick mutually together, freely, and peaceably, without producing any Letters of Safe-conduct, and without any Arreſt, diſturbance, or interruption altogether in as much Amity as they would, and ought to do in the time of an abſolute Peace; only paying the Dues and Cuſtoms to one King as well as to the other.

And if any thing chance to be attempted, or committed by either King, or their Subjects of either part, contrary to the ſame, it ſhall duely, and as ſoon as may be, without any fraud or delay, be repaired, redreſſed, and made good to the Party that ſhall be injured; the Truce for all that remaining in full force and Vertue.

And in like manner, during the Term of the ſaid Truce, neither the King of *England*, nor of *Scotland*, nor any of their Subjects of either Kingdom, nor any of their Lords, may be an Ill-wiſher, Adverſary, or Enemy: nor ſhall commit any act of Hoſtility,

Damage, or Injury: neither may they be aiding, comforting, or counſelling in *England*, or in *Scotland*, or in any place elſewhere, againſt the Kings and Subjects of either Kingdom, or of any of their Dominions in any manner whatſoever.

And if any of the ſaid Subjects do act to the contrary, they ſhall, in the firſt place, be required and commanded by way of *Letter* to deſiſt; and, upon neglect thereof, they ſhall be puniſhed as Traytors and Rebels, and all their Goods be forfeited and confiſcated to that King whoſe Subjects they are.

And during the ſaid Term, no Subject, who may be a Rebel, and diſobedient to either King, ſhall be admited into one Kingdom, nor into the other, nor into any of their Dominions, whereby he may offer Injury and Wrong to the ſaid Kings, or to any of their Subjects.

And the ſaid King of *Scotland*, for the remainder of his Ranſom, ſhall pay

56000

56000 Marks in Gold, or Silver of an equal value, to the King of *England*, or to his Heirs or Deputies, at *Berwick upon Tweed*, at *Norham*, or at *Bambourgh*, in the ſpace of the foreſaid Truce.

That is to ſay, every Year 4000 Marks, till the whole Sum aforeſaid ſhall be paid; whereof the firſt Payment ſhall commence, in the ſame manner, as hath been ſaid before, at *Candlemas* next coming, or within fifteen Days after; and ſo from Year to Year, till all the foreſaid Sum of 56000 Marks ſhall be fully paid, as hath beeen already ſaid; and afterwards the King, and all the other Lords of *Scotland*, who ſtand engaged for the Payment of the ſaid Remainder, their Heirs and Succeſſors, ſhall remain acquitted and diſcharged by the ſaid King of *England*, his Heirs, Succeſſours, and Aſſignes, of all the ſaid Ranſom, and all other Sums, Penalties, Failures, Oaths, Obligations, Covenants, Promiſes and Defaults, if any chance to be alledged: And of all Demands, which may be made by

vertue of any Obligations by Indentures and publick Inſtruments, granted and paſſed to the ſaid King of *England*, ſince the time that the ſaid King of *Scotland* was taken Priſoner at the Battle of *Durham*.

And, in particular, of the laſt Obligation by the ſaid King of *Scotland*, given for the Payment of 100000 *l.* And that ſame laſt Bond, and all other Letters Obligatory, Indentures, and publick Inſtruments ſhall, upon the laſt Payment, be actually reſtored and delivered to the *Commiſſioners* of the ſaid King of *Scotland*. And in Caſe that any ſuch Writings, relating thereunto, ſhall be found and appear afterwards, they ſhall be always looked upon as void and null, and ſhall looſe there Force, Effect and Power, in all points; and ſhall not be of any benefit, after the ſaid laſt Payment, to the King of *England*, nor of any Damage to the King of *Scotland*.

It is in like manner ſtipulated by the Commiſſioners of the King of *England*, that the Subjects of the King of *Scotland*

land ſhall have, during the ſaid Truce, one Moiety of the Rents and Profits of the Lands and Poſſeſſions in the hands of thoſe People, who are under the Subjection and Obedience of the King of *England* in the County of *Roxburgh*; that is, in ſuch manner that thoſe of *Scotland*, claiming Right of Inheritance in the ſaid Lands and Poſſeſſions, may enjoy one moiety of the Profits; but that all the time of the ſaid Truce, the ſaid Lands and Poſſeſſions, together with the Perſons, in whoſe hands they are, ſhall remain, as to the King of *England*, in the ſame State, Fealty Obedience, and Condtition, they are in this preſent Day.

And the ſaid Lands ſhall, during the Term of the ſaid Truce, be farmed out well and faithfully, by the joint conſent of both Parties concerned, to as much advantage as may be, without any Fraud or Deceit.

And the ſaid Truce ſhall be Proclaimed and publiſhed Yearly thro' all the Kingdoms, in *Ireland*, and thro' all the Dominions of both the Kings afore-

ſaid, both on this ſide and beyond the Sea; and upon the Delivery of this preſent Treaty under the Seals of the Prelats and Lords aboveſaid, the ſaid King of *England*, ſhall in like manner deliver a Counterpart of the ſame, under the Seals of the Honourable Fathers in God *William* of *Wincheſter* Chancellour, *John* of *Ely* Treaſurer of *England*, *Symon* of *London*, *Adam* of Saint *Davids*, *William* of *Worceſter* Biſhops: the Noble and Puiſſant Lords *John* Duke of *Lancaſter*: *Richard* of *Arundell*, *Thomas* of *Beauchamp* of *Warrewick*, *Robert* of *Suffolk*, and *William Montague* of *Salisbury* Earls: *Henry* Lord *Percy*, *Roger* Lord *Clifford*, *William* Lord *Latimer*, Sir *Peter Lacy*, Keeper of the Privy-Seal.

All and every of which Articles the Prelats and Lords of *Scotland* have Sworn and Promiſed that they will obſerve, preſerve, and fulfil, ſo far as they do, or may concern them in every individual Point well and faithfully, without Fraud or Deceit; and without ſaying, or acting any thing tacitely, or expreſly, by themſelves,

or

or by any other for them, to the contrary.

Concluded and delivered under the Seals of the Prelats and Lords of *Scotland* aforesaid, at the City of *London*, in the Month of *June*, and in the Year of Grace 1369.

John of *Carryk* Secret.
Alexander of *Lyndesay*.
Walter de *Haliburton*.
Walter de *Lesley*.
James de *Douglas*.
Robert de *Erskyne*.
Archibald de *Douglas*.
William de *Keth*.
Earl of *Carryk*.
Earl of *Douglas*.
Earl of *March*.
Earl of *Marr*.
Steward of *Scotland*.
Dunblain.
Brechen.
Dunkelden.
Glasgnen.
St. *Andrews*.

De

‘ De Obligatione facta Do-
‘ mino Regi per David
‘ de Bruys.

Ap. B. ‘ A Treſexcellent Prince noſtre
‘ Treſchere & Treſhonure
‘ Frere Edward, par la grace de Di-
‘ eu Roi D'engleterre, David par
‘ meſme la grace Roi d'Eſcoce Sal-
‘ utz & dilection; Pur ceo que de vo-
‘ tre grace eſpetiale vous nous avez
‘ accorde par voz lettres overtes que
‘ de la Some grande des deniers d'
‘ argent, la quele nous vous de-
‘ vons paier, a cauſe de notre de-
‘ liurance, d'ont nous vous devons
‘ paier cheſcun an quatre Mill
‘ marcz ala Chaundeleure a certein
‘ lieu, Solonc la fourme & l'effect,
‘ d'unes

‘ d'unes lettres Obligatoirs d'arrein-
‘ ment faites Sur la reſte de noſtre
‘ ranceon, que nous duiſſons paier d'
‘ An en An au dit liu quatre Mill
‘ marcz a la feſte de Seint John le
‘ Baptiſtre, nous promettons loial-
‘ ment, & en paroule de Roi Sacre,
‘ que nous ferrons le dit paiement
‘ d'An en An au lieu accorde a la
‘ dite feſt de Seint John le Baptiſtre
‘ a voz deputez, tanque a l'enterim
‘ paiement de tute la reſte de la
‘ Somme, que nous vous devons
‘ par la cauſe avantdite ; c'eſtaſſa-
‘ voir, de Cinquante & deux mill
‘ marcz d'eſterlinges le terme de
‘ primer paiement ; comenceant
‘ a la feſt de la Nativite de Seint
‘ Johan Baptiſtre, l'an de grace
‘ M.CCC.LXXI. Et n'eſt pas notre
‘ volunte n'entention que la dite
‘ grace, q'enſi fait, nous avez vous
‘ tourne en damage ou prejudice,
‘ ne aſcun autre a cauſe de vous

‘ ne

‘ ne a les lettres obligatoriez que
‘ faitez vous avouns darreinment
‘ par la meſme cauſe ; einz vo-
‘ lons q'elles eſtoiſent & demo-
‘ rent en lour effect, force &
‘ & fermetee, en touz pointz &
‘ articles, horſpris Soulement la
‘ change des termes avant nomez
‘ tout auxi come vous ne nous
‘ euſſez fait la grace avandite.
‘ Don. par teſmoignance de notre
‘ Seal Secre a la Cite de Londres
‘ le quart jour de Juyn, l'an de
‘ grace M.CCC.LXX. Et de nre
‘ Roialme Quarantiſme.

No-

Nomina Obſidum de Scotia, viz. Ap. C.

1. JEhan Fitz & Heir au Seneſchall d'Eſcoce } Liverez au Sr. de Percy. Rot. Scot. 31 E. 3. M. 1 dors.
2. Umfred Fitz & Heir a Roger de Kirkpatrick }

3. Reynard Fitz & Heir Seign. Will. More } Liverez a Alain del Strother, come a Vicount de Northumb.
4. Gilbert Fitz & Heir Johan Kenedy }
5. Johan Fitz Johan de Berkelay }

6. Johan Flemyn Heir au Conte de Wygets } Au dit Alain, &c.
7. Johan Fitz Seign. Andrew de Valence }

8. Patrick Fitz & Heir a Sr. David de Graham } Livere a Monſ. Will. de Weſſyngton.

9. Robt. Fitz Sr. Will. de Conyngham } Livere a Rog. Corbet.

10. Joh.

10. Joh. Fitz & Heir Sr. Joh. Stuard de Dernele } a Monſ. Rich.
11. Rob. Fitz & Heir Sr. Rob. de Danyelſton } Tempeſt.

12. Tho Fitz a Rob. Erskyn } a Johan de Coupland.

13. Will. Fitz & Heir Sr. Tho. Somervill. } a Monſ. Johan. de Evre.

14. David. Fitz & Heir David de Wemys } a Will. de Strother Mair del Noef-chaſtell.

15. Tho. Fitz & Heir Will. de la Hay de Lockow. } a Henry de Stro---

16. Johan Fitz & Heir Joh. Gray. } a Monſ. Tho. de Gr---

17. *Item*, Johan. Fitz & Heir le Count de Sothirland eſt Envoie a Loundres-devers le Chanceller.

18. *Item*. William Fitz & Heir le Comte de Roſſe eſt malades & le Roi David, & les Eveſques de Seint Andrew & de Brethyn, & le Counte de la

la Marche ſont Empris q'il terre Livere au Gardein de Berwick devant Nowel, & s'il ſoit mort que la prochein Heir au dit Count vendra en ſon lieu.

19. *Item.* Patrick Fitz & Heir a Monſ. Will. de Levynſton eſt baille a Richard Snell Burgeis de Berwick, & le Roi David ad empris--- ſa bouche & une Lre--- de ſon Sigut q'il ſerra-- & ne elongera.

20. *Item.* Sive Thomas Byſet ad Empris que William ſon Fitz terra a les touz Seintz----- du Seigneur d Manny pur dem-----

Rot

Rot. Scot. 32. E. 3. M. 6.

De denar recipiend & obsidibus admottend.

REX dilectis & fidelibus Suis Henrico de Percy, Rado de Nevill, & Johanni de Coupeland Custodi Villæ Regis Berewici super Twedam, Salutem. Cum, in Tractatu inter Concilium nostrum & quosdam Prælatos Magnates & alios de Scotia super deliberatione David de Bruys Prisonarii nostri pridem habito, concordatum Sit quod Centum Milia marcarum Sterlingorum pro redemptione Prædicti David infra decem annos extunt proximo Sequentes apud Berewycum super Twedam, vel Norham, aut Baumburg, vel London nobis solvant videlt decem Milia martarum de prima solutione ad festum Nativitatis sancti Johannis Baptistæ proximo futurum, & residum eorumdem

‘ eorumdem Centum milium marcarum
‘ ad alios terminos in quadam Indentu-
‘ rà inde factà contentos, & quod Jo-
‘ hannes Primogenitus & hæres Seneſ-
‘ calli Scotiæ qui unâ cum quibuſdam
‘ alijs Magnatibus de Scotia in obſides
‘ pro deliberatione prædicti David libe-
‘ rantur, in Cuſtodia veſtra, præfatus
‘ Henr. Moraretur quouſq; dicta decem
‘ milia marcarum plenariè fuerint per-
‘ ſoluta, & tunt loco ſuo veniet Secun-
‘ do-genitus prædicti Seneſcalli frater
‘ ipſius Johannis in obſidem in forma
‘ ſupradicta, & dictus Johannes delibe-
‘ rabitur prout Indenturâ prædictâ ple-
‘ nius continetur.

‘ Nos, de fidelitate & circumſpectione
‘ veſtris plenius confidentes, aſſignavi-
‘ mus vos conjunctim & diviſim ad dicta
‘ decem milia marcaraum, de prima
‘ ſolutione prædicta, ad inſtans feſtum
‘ Nativitatis Sancti Johannis Baptiſtæ
‘ apud dicta loca de Berewico, Norham,
‘ vel Baumburgh, nomine noſtro, in
‘ ſterlingis vel in moneta auri in An-
‘ glia iam currente recipiendum, & ad
‘ Secundo-genitum prædicti Seneſcalli
‘ Fratrem prædicti Johannis loco Ipſius
‘ Johannis in obſidem admittendum &
‘ per vos, præfate Henr. cuſtodiendum ;

‘ & admiſſo in veſtram ſecuram cu-
‘ ſtodiam ipſo Fratre ejuſdem Jo-
‘ hannis ſic in obſidem, & dictis decem
‘ Milibus Marcarum vobis perſolutis,
‘ Sicut predictum eſt ad prædictum
‘ Johannem a priſona, qua ſic detinetur,
‘ extunc deliberand' juxta vim & effect-
‘ um Indenturæ pradictæ.

‘ Et ideo vobis mandamus quod præ-
‘ miſſa faciatis in forma predicta. In
‘ cujus &c. Teſte Rege apud Weſtm.
‘ viij die Junij.

‘ De

De uno Obſidum David de Bruys deliberando & alio recipiendo.

Rot. 34: Edw. 3:

REX dilectis & fidelibus ſuis Henrico de Percy & Radulfo de Nevill Salutem; Cùm nuper, ſuper tractatu deliberationis David de Bruys habito, concordatum fuiſſet quòd Johannes filius & hæres Seneſcalli Scotiæ, unus obſidum pro dicto David in Comitivâ veſtrâ, vel alterius veſtrûm, moraretur quouſq; prima ſolutio decem Milium Marcarum de redemptione dicti David plene fiat, & eâ factâ Filius dicti Seneſcalli Secundo-genitus loco predicti Johannis fratris ſui in dictum Ap. E:

‘ ctum Regnum noſtrum veniet in
‘ Obſidem moratur pari formâ,
‘ & Statim ſuper adventu dicti
‘ Secundo-geniti in ipſum Reg-
‘ num deliberabitur dictus Johan-
‘ nes, quodq; quilibet dictorum fi-
‘ liorum predicti Seneſcalli, qui
‘ in Obſidem ſic veniet ſit ejuſdem
‘ conditionis, Ita quod nullus eo-
‘ rum, niſi pro unicâ ſolutione di-
‘ ctæ redemptionis, obſes morabi-
‘ tur, ut eſt dictum.

‘ Nos volentes dictum tractatum
‘ in omnibus obſervari, vobis
‘ mandamus quod cum, per Can-
‘ cellarium & Theſaurarium no-
‘ ſtroscertificati fueritis, quod ſe-
‘ cunda ſolutio redemptionis præ-
‘ dictæ plenariè facta fuerit, & fili-
‘ us dicti Seneſcalli tertio-genitus
‘ in obſidem pro dicto David ſe
‘ intraverit prædictum ſecundo-
‘ genitum, in cuſtodia veſtra, ſic

‘ exi-

‘ exiſtentem deliberari faciatis jux-
‘ ta formam Tractatûs prædicti.
‘ Volumus enim vos de ipſo ſe-
‘ cundo-genito extunc exonerari.

Teſt R. apud Weſtm. xiii. die Junii.

Per ipſum Regem & Concilium.

‘ Collatio Libertatum Regis ‘ Scotiæ per Honorium ‘ Papam.

Ap. F. ‘ HONORIUS Episcopus Servus Ser-
‘ vorum Dei, Carissimo in Chri-
‘ sto Filio Alexandro Illustri Scotorum
‘ Regi Ejusq; Successoribus in perpetuum.
‘ Cum universi fideles apud sedem Apo-
‘ stolicam patrocinium invenire debe-
‘ ant & favorem, illos tamen speciali-
‘ ùs convenit ejus protectionis muni-
‘ mine confoveri quorum fidem ac de-
‘ votionem in pluribus est experta, ut
‘ ad ipsius dilectionis fervorem tanto
‘ ampliùs provocentur, & ejus reveren-
‘ tiæ devotiori affectione subdantur,
‘ quanto benevolentiæ ipsius & Gratiæ
‘ pignus se noverint certiùs assecutos.
‘ Ea propter, Carissime in Christo Fi-
‘ li, reverentiam ac devotionem quam
‘ ad Romanam Ecclesiam a longis re-
‘ tro temporibus te ac Prædecessores tuos

‘ ha

‘ habuiſſe cognovimus attendentes, præ-
‘ ſentis ſcripti pagina, ad exemplar fe-
‘ licis recordationis CELESTINI &
‘ INNOCENTII prædeceſſorum noſtro-
‘ rum Romanorum Pontificum, diſtri-
‘ ctius inhibemus ut, cum Scotican' Ec-
‘ cleſia ſedi Apoſtolicæ, ſicut filia ſpe-
‘ cialis, nullo medio ſit ſubjecta in
‘ qua hæ ſedes Epiſcopales eſſe noſcun-
‘ tur, Eccleſia videlicet Sancti Andreæ
‘ Dumblenen', Eccleſia Glaſcuen', Dum-
‘ kelden', Brachinen', Eccleſia Aberden',
‘ Eccleſia Mureven', Eccleſia Roſen', &
‘ Eccleſia Katen', nemini liceat niſi
‘ Romano Pontifici, vel Legato ab
‘ ipſius latere deſtinato, in Regnum
‘ Scotiæ interdicti vel excommunicatio-
‘ nis ſententiam promulgare, & ſi
‘ promulgata fuerit decernimus non va-
‘ lere. Adicimus etiam ut nulli de cœ-
‘ tero, qui de Scotiæ Regno non fuerit,
‘ niſi quem apoſtolica ſedes propter hoc
‘ de corpore ſuo ſpecialiter deſtinave-
‘ rit, licitum ſit in eo legationis offici-
‘ um exercere. Prohibemus autem ut
‘ controverſiæ, quæ fuerint in Regno
‘ ipſo de poſſeſſionibus ejus exortæ, ad
‘ examen extra Regnum poſitorum ju-
‘ dicium non trahantur; niſi ad Roma-
‘ nam fuerit Eccleſiam appellatum. Si

‘ qua verò ſcripta contra hujus libertatis ſtatutum apparuerint impetrata, vel ‘ in poſterum, iſtius conceſſionis mentione non habitâ, contigerit impetrari ‘ nullum tibi, tuiſve Succeſſoribus vel ‘ ipſi Regno circa hujus Prærogativæ ‘ conceſſionem præjudicium generetur. ‘ Præterea libertates & immunitates tam ‘ tibi, quam Regno tuo, & Eccleſiis in ‘ eodem Regno conſtitutis, ab Eccleſiâ ‘ Romana conceſſas & hactenus obſervatas, ratas habemus, & eas futuris ‘ temporibus illibatas manere ſancimus, ‘ Salvâ tamen ſedis Apoſtolicæ auctoritate : Nulli ergo omnino hominum ‘ liceat hanc paginam noſtræ conceſſionis prohibitionis & confirmationis ‘ infringere, vel ei auſu temerario contraire : Siquis autem hoc attemptare ‘ præſumpſerit, indignationem Omnipotentis Dei & beatorum Petri & Pauli Apoſtolorum ejus ſe noverit incurſurum. *Amen. Amen. Amen*, &c.

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